

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

JOHN E. BEAM,

PLAINTIFF

v.

Civil Action No.: 3:04CV89-NBB-SAA

JO ANNE B. BARNHART,
Commissioner of Social Security,

DEFENDANT

FINAL JUDGMENT

Upon consideration of the file and records in this case, the court finds that the Report and Recommendation of the United States Magistrate Judge dated May 26, 2005, was on that date duly served upon counsel of record; that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the court.

It is, therefore,

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated May 26, 2005, be, and it is hereby, approved and adopted as the opinion of the court, and that the proposed findings of fact and conclusions of law therein set out be, and they are hereby, adopted as the findings of fact and conclusions of law of the court.

2. That the final decision of the Commissioner of Social Security shall be, and it is hereby, reversed, and this case is remanded to the Commissioner for further consideration in accordance with the Report and Recommendation of the magistrate judge and this final judgment.

SO ORDERED, this, the 26th day of July, 2005.

/s/ Neal Biggers

NEAL B. BIGGERS, JR.
SENIOR U.S. DISTRICT JUDGE

